

SECOND REGULAR SESSION

SENATE BILL NO. 1143

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR DOLAN.

Read 1st time January 22, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

2836S.01I

AN ACT

To amend chapter 570, RSMo, by adding thereto four new sections relating to motor vehicle theft, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 570, RSMo, is amended by adding thereto four new sections, to be known as sections 570.400, 570.405, 570.410, and 570.415, to read as follows:

570.400. A person commits the crime of motor vehicle theft if he or she appropriates a motor vehicle of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion. Motor vehicle theft is a class C felony.

570.405. A person commits the crime of carjacking when he or she obtains unauthorized possession or control of a motor vehicle from another individual in actual possession by intimidation, force, or a threat of force. Carjacking is a class B felony.

570.410. 1. A person commits the crime of unauthorized use of a vehicle if he or she:

(1) Having custody of a vehicle pursuant to an agreement between himself or herself and the owner of such vehicle to perform for compensation a specific service for the owner involving the maintenance, repair, or use of such vehicle, he or she intentionally uses or operates the same, without the consent of the owner for his or her own purposes in a manner constituting a gross deviation from the agreed purpose; and

(2) Having custody of a vehicle pursuant to an agreement with the owner of such vehicle to be returned to the owner at a specified time, he or she intentionally retains or withholds possession beyond the specified time as to render such retention or possession a gross deviation from the agreement.

2. Unauthorized use of a vehicle is a class A misdemeanor.

570.415. 1. A person commits the crime of tampering if, he or she without the consent of the owner, takes, operates, exercises control over, rides in, or otherwise uses a motor vehicle. For the purposes of this subdivision, the act of taking, operating, exercising control over, riding in, or otherwise using the motor vehicle while the keys are in the motor vehicle, and when the owner is not present, shall be prima facie evidence that the person did not have the owner's consent.

2. Tampering is a class B misdemeanor. Every person who pleads guilty to or is found guilty of a second violation is guilty of a class A misdemeanor. Every person who pleads guilty to or is found guilty of third or subsequent violations is guilty of a class D felony.

T

Unofficial

Bill

Copy